



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

VIA UPS

AUG 18 2015

Mr. David L. Rakes
Regional Manager
R.R. Donnelley and Sons Company
4201 Murray Place
Lynchburg, VA 24501

**Re: Notice of Violation
Compliance Evaluation Inspection
August 7, 2014
EPA ID No. VAD055048532**

Docket No: R3-15-NOV-RCRA-031

Dear Mr. Rakes:

On August 7, 2014 the U.S. Environmental Protection Agency, Region III ("EPA") conducted a Compliance Evaluation Inspection ("CEI") of your facility under the federally authorized Commonwealth of Virginia Hazardous Waste Management Regulations ("VAHWMR") and the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. Sections 6901 et seq. The Inspection Report is enclosed with this letter. Based on the inspection, EPA has determined that R.R. Donnelley and Sons Company in Lynchburg, VA ("Donnelley" or the "Facility") has violated regulations under VAHWMR and RCRA. As a result of this determination, EPA is issuing this Notice of Violation ("NOV"). The specific violations are:

1. The Facility failed to keep closed a 90 day container in the Waste Water Treatment Plant Area (Photo #5), (the facility should make an effort to cover the WWTP sludge super sack when not in use) and a satellite accumulation area in the Press 507 room, which had (2) open 5-gallon containers with ink sludge/solids (Photos #9 and 10) as required by 9 VAC 20-60-265 [40 CFR §265.173(a)].
2. Reusable wipes container in the Engraving Room not marked as "Excluded Solvent-Contaminated Wipes" (Photos #1 and 2) as required by 9 VAC 20-60-261 [40 CFR §261.4 (a)(26)(i)].
3. Used batteries in the Battery Charging Room (Photo #12) and universal waste lamps in the Production Hallway (Photo #13) were not marked with start accumulation dates as required by 9 VAC 20-60-273 [40 CFR §273.15(c)(1)].


Within twenty (20) calendar days of the receipt of this NOV, please submit a response documenting the measures the facility has taken or is taking to achieve compliance with the violations noted above or provide an explanation of facts and circumstances that cause you to believe that EPA's determination of the alleged violations are in error. If the compliance measures identified are planned or are on-going, please provide a schedule for when the compliance measures will be completed. The inspection reports document that violation #1, #2, and #4 were corrected during the inspection so there is no need to include them in your response.

Section 3008(a) of RCRA authorizes EPA to take an enforcement action whenever it is determined that any person has violated, or is in violation, of any requirement of RCRA as amended. Such an action could include a penalty of up to \$37,500 per day of violation. In addition, failure to achieve and maintain compliance with the regulations cited in this NOV may be treated as a repeated offense and may constitute a "knowing" violation of Federal law.

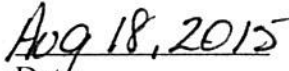
This NOV is not intended to address all past violations, nor does it preclude EPA from including any ongoing, including the one cited in this letter, or past violations in any future enforcement action. Response to this NOV shall be addressed to:

Eric Greenwood
Land and Chemicals Division (3LC70)
U.S. Environmental Protection Agency - Region III
1650 Arch Street
Philadelphia, PA 19103

With regard to the Small Business Regulatory Enforcement and Fairness Act (SBREFA), please see the Information for Small Businesses memo, enclosed, which might be applicable to your company. This enclosure provides information on contacting the SBREFA Ombudsman to comment on federal enforcement and compliance activities and also provides information on compliance assistance. As noted in the enclosure, any decision to participate in such program or to seek compliance assistance does not relieve you of your obligation to respond in a timely manner to an EPA request or other enforcement action, create any rights or defenses under law, and will not affect EPA's decision to pursue this enforcement action. To preserve your legal rights, you must comply with all rules governing the administrative enforcement process. The Ombudsman and fairness boards do not participate in the resolution of EPA's enforcement action. EPA has not made a determination as to whether or not you [or your company] are covered by the SBREFA.



Carol Amend, Associate Director
Land and Chemicals Division
Office of Land Enforcement



Date

Enclosure

cc: Russell Deppe (VADEQ) w/o Enclosure
Pauline Belgiovane (3LC70) w/o Enclosure
Eric Greenwood (3LC70) w/o Enclosure

